



PATENT  
Attorney Docket No. 04329.2222-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Kouji MATSUO et al. ) Group Art Unit: 2814  
Application No.: 10/815,932 ) Examiner: S. Rao  
Filed: April 2, 2004 )  
For: SEMICONDUCTOR DEVICE AND )  
METHOD OF MANUFACTURING )  
THE SAME )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, Applicants provide a Notice of Reasons for Rejection mailed by the Japanese Patent

Office on June 24, 2008, in a counterpart Japanese Application No. 2004-265551 citing these documents and setting forth the relevance thereof. An English-language translation of the Notice is attached. Applicants do not necessarily endorse any conclusions set forth in the Notice.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 30, 2008

By: \_\_\_\_\_

  
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